

CLEAN WATER ACT2-54. State Capitalization Grants

1. **AUTHORITY.** To approve grants for the establishment of State Water Pollution Control Revolving Funds pursuant to Title VI of the Clean Water Act, as amended, and to perform other activities necessary for the administration of the SRF program.
2. **TO WHOM DELEGATED.** Director, Water Division.
3. **LIMITATIONS.** Concurrence by the Office of Wastewater Management is required for the following:
 - a. All cases in which the state requests an exception to cash draw procedures related to particularly aggressive leveraging proposals or other cases which would involve the draw of cash at a more accelerated rate than specified in 40 C.F.R. § 35.3160, except where concurrence was given for the draw of cash at an accelerated rate on a previous grant and no changes to the structure of the program have occurred or are requested.
 - b. All grants where the SRF will be used to generate payment for state match bonds, except where concurrence was given for state match bonds on a previous grant and where no changes to the structure of the program have occurred or are requested.
4. **REDELEGATION AUTHORITY.**
 - a. This authority may be redelegated to the branch chief level, or equivalent, and no further.
 - b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **ADDITIONAL REFERENCES.**
 - a. CWA §§ 205(m), 319, and 320.
 - b. Federal Grant and Cooperative Agreement Act of 1977, P.L. No. 95-224, as amended, 31 U.S.C. § 6301 et seq.
 - c. Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act, Pub. L. No. 106-074, 113 Stat. 1081 (2000).
 - d. 40 C.F.R. Chapter 1, Subchapter B, which provides EPA's regulations on Grants and Other Federal Assistance; 40 C.F.R. Part 35, Subpart K - State Water Pollution Control Revolving Funds.
 - e. 2 C.F.R. Part 200, OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; and 2 C.F.R. Part 1500, EPA's adoption and supplementation of the OMB uniform award requirements.

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- f. EPA Order series 5700, which provides EPA policies regarding assistance agreements.
- g. EPA Assistance Administration Manual; Office of Water Initial Guidance - State Water Pollution Control Revolving Funds; additional regulations and guidance as may be issued by the Administrator.
- h. Delegation 1-14-A, Assistance Agreements, which delegates to the officials in the Mission Support Division the authority to take all necessary actions to award, obligate and de-obligate funds for, and administer fellowship, grant, cooperative and loan agreements, and to make any final determinations required by law or regulations, with eligible recipients.



Debra H. Thomas
Acting Regional Administrator

APR 29 2019

Date